

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

RONALD POLETTI, ET AL.,

Plaintiffs,

v.

No. 3:15-cv-1221- DRH-

SYNGENTA CORPORATION, et al.

Defendants.

ORDER

On November 5, 2015, the plaintiffs filed a motion to (1) move for an order deeming this removed lawsuit a "mass action" under 28 U.S.C. § 1332(d)(11)(B), and (2) notify the Court and the defendants that no plaintiff requests transfer of the removed lawsuit pursuant to 28 U.S.C. § 1407 (Doc. 7). On November 13, 2015, plaintiffs filed a notice informing the Court that the defendants do not oppose the motion (Doc. 13). After reviewing the motion and the relevant authority and, in light of the defendants' lack of opposition, the motion (Doc. 7) is **GRANTED**. The Court **FINDS** and **ORDERS** as follows:

- (1) The sole basis for removal of this suit is that it is a mass action under 28 U.S.C. § 1332(d)(11)(B), the relevant provision of the Class Action Fairness Act ("CAFA");
- (2) this suit is a mass action under 28 U.S.C. § 1332(d)(11)(B);
- (3) no other ground for removal and jurisdiction is alleged and exists; and

(4) the bar against transfer codified at 28 U.S.C. § 1332(d)(11)(C)(i) is immediately effective.

IT IS SO ORDERED.

Signed this 16th day of November, 2015.


Digitally signed by
Judge David R. Herndon
Date: 2015.11.16
12:55:51 -06'00'


United States District Court Judge